No. 98

MICHIGAN SENATE

DAILY CALENDAR

WEDNESDAY, NOVEMBER 2, 2005 10:00 a.m.

	10:00) a.m	•
	MOTIONS		MESSAGES FROM THE GOVERNOR
SB	246 Sen. Emerson School aid; fiscal year appropriations; minimum funding level for K-12 education; provide for. Amends title & sec. 11 of 1979 PA 94 (MCL 388.1611) & adds secs. 12 & 147a. Motion to discharge Committee on Appropriations pending.	SB	274 Sen. Clarke Appropriations; history, arts, and libraries; department of history, arts, and libraries; provide for fiscal year 2005-2006. Creates appropriation act. Approved by Governor, with line items vetoed, Thursday, September 29. For veto message, see Senate Journal No. 87, page
SB	318 Sen. Basham Labor; hours and wages; minimum wage; increase. Amends sec. 4 of 1964 PA 154 (MCL 408.384). Motion to discharge Committee on Commerce and Labor pending.	SB	1762. Vetoed line items pending. 7 281 Sen. Barcia Appropriations; transportation; state transportation de-
SB	MESSAGES FROM THE GOVERNOR 272 Sen. Switalski Appropriations; general government; general government; provide for fiscal year 2005-2006. Creates appropriation act.		partment; provide for fiscal year 2005-2006. Creates appropriation act. Approved by Governor, with line items vetoed, Friday, September 30. For veto message, see Senate Journal No. 87, page 1762. Vetoed line items pending.
	Approved by Governor, with line items vetoed, Wednesday, September 28. For veto message, see Senate Journal No. 87, page 1760. Vetoed line items pending.	SB	MESSAGES FROM THE HOUSE 8 193 Sen. George
SB	271 Sen. Scott Appropriations; human services; department of human services; provide for fiscal year 2005-2006. Creates appropriation act. Approved by Governor, with line items vetoed, Wednesday, September 28. For veto message, see Senate Journal No. 87, page 1760.		Courts; district court; election districts within the eighth judicial district; eliminate. Amends sec. 8117 of 1961 PA 236 (MCL 600.8117). Returned from House with House substitute (H-1), Tuesday, November 1; laid over under the rules. Committee recommended I.E.
CD.	Vetoed line items pending. 5 ———————————————————————————————————	_	THIRD READING OF BILLS
SB	Appropriations; agriculture; department of agriculture; provide for fiscal year 2005-2006. Creates appropriation act. Approved by Governor, with line items vetoed,	SB	102 Sen. Cropsey Corrections; state facilities; Ionia maximum correctional facility; rename to Jack Welborn correctional facility.

Wednesday, September 28.

Vetoed line items pending.

For veto message, see Senate Journal No. 87, page

Reported by Committee on Judiciary. Committee recommended I.E.

ing sec. 20d.

Amends 1953 PA 232 (MCL 791.201 - 791.283) by add-

THIRD READING OF BILLS

_____ 10 _____

SB 337 Sen. Allen

Single business tax; credit; tax credit for historical buildings; create and limit issuance of.

Amends 1975 PA 228 (MCL 208.1 - 208.145) by adding sec. 35c.

Reported by Committee on Commerce and Labor. Senate substitute (S-2).

Committee recommended I.E.

------ 11 ------

HB 4108 Rep. Mayes

Torts; liability; immunity for farmers who use tank locks or dye additives to prevent anhydrous ammonia theft; provide for.

Amends 1961 PA 236 (MCL 600.101 - 600.9947) by adding secs. 2975 & 2976.

I.E. House, June 9, 2005.

House substitute (H-3).

Reported by Committee on Agriculture, Forestry and Tourism.

Senate substitute (S-1).

Committee recommended I.E.

____ 12 ____

HB 4317 Rep. Lipsey

Counties; other; county road commission; provide option to expand membership or eliminate.

Amends sec. 12 of 1973 PA 139 (MCL 45.562).

I.E. House, June 29, 2005.

Reported by Committee on Transportation.

Senate substitute (S-1).

Committee recommended I.E.

_____ 13 _____

SB 712 Sen. Brown

Crimes; gambling; allowance of gambling on certain card games at senior citizen housing facility; revise to include senior center that is not a housing facility.

Amends sec. 303a of 1931 PA 328 (MCL 750.303a).

Reported by Committee on Senior Citizens and Veterans Affairs.

Senate substitute (S-1).

Committee recommended I.E.

SB 778 Sen. Birkholz

Environmental protection; other; environmental indicator report; eliminate sunset.

Amends sec. 2521 of 1994 PA 451 (MCL 324.2521).

Reported by Committee on Natural Resources and Environmental Affairs.

Committee recommended I.E.

THIRD READING OF BILLS

____ 15 _____

HB 4860 Rep. Elsenheimer

Environmental protection; water pollution; unauthorized discharges into a municipal sewer system; exempt municipalities from liability.

Amends sec. 3109 of 1994 PA 451 (MCL 324.3109).

I.E. House, June 23, 2005.

House substitute (H-4).

Reported by Committee on Natural Resources and Environmental Affairs.

Senate substitute (S-2).

Committee recommended I.E.

GENERAL ORDERS

_____ 16 _____

SB 233 Sen. Bishop

Administrative procedure; rules; rescission of proposed credit scoring rules; provide for.

Amends 1956 PA 218 (MCL 500.100 - 500.8302) by adding sec. 2111a.

Referred to Committee of the Whole pursuant to MCL 24.245a.

____ 17 _____

SB 196 Sen. Jelinek

Legislature; legislators; legislator to substitute teach in public schools without pay; allow.

Amends secs. 1230, 1230a & 1233 of 1976 PA 451 (MCL 380.1230 et seq.).

Reported by Committee on Education.

Senate substitute (S-1).

Committee recommended I.E.

____ 18 _____

SB 448 Sen. Cropsey

Courts; judges; salary for judges; revise, establish concurrent jurisdiction for probate judge and district judge, and provide other amendments.

Amends secs. 226, 303d, 410, 810, 859, 871, 1105, 1701, 8322, 8344, 8507 & 8611 of 1961 PA 236 (MCL 600.226 et seq.); adds secs. 411 & 8808 & repeals secs. 557, 557a, 557b, 8555 & 9947 of 1961 PA 236 (MCL 600.557 et seq.).

Reported by Committee on Judiciary.

For Senate amendment, see Senate Journal No. 48, page 708.

Committee recommended I.E.

HB 4481 Rep. Gaffney

Elections; voting procedures; certain restrictions on requests for registration or absentee ballots; revise.

Amends sec. 759a of 1954 PA 116 (MCL 168.759a) & repeals sec. 504 of 1954 PA 116 (MCL 168.504).

I.E. House, April 19, 2005.

House substitute (H-1).

Reported by Committee on Government Operations. Senate substitute (S-1).

Committee recommended I.E.

GENERAL ORDERS

____ 20 _____

SB 43 Sen. Thomas

Income tax; credit; certain physicians with medical care practices in medically underserved areas; provide credit.

Amends 1967 PA 281 (MCL 206.1 - 206.532) by adding sec. 272.

Reported by Committee on Finance.

Senate substitute (S-1).

Committee recommended I.E.

SB 472 Sen. Kuipers

Energy; other; Michigan superconducting super collider commission; eliminate.

Amends sec. 11 of 1987 PA 26 (MCL 3.821).

Reported by Committee on Local, Urban and State Affairs.

Committee recommended I.E.

SB 475 Sen. Hardiman

Higher education; research; state research fund feasibility review panel; eliminate.

Amends sec. 2 of 1982 PA 175 (MCL 125.1952).

Reported by Committee on Local, Urban and State

Committee recommended I.E.

____ 23 _____

SB 476 Sen. Sanborn

State; funds; Michigan strategic fund, research center fund advisory committee; eliminate.

Amends sec. 77 of 1984 PA 270 (MCL 125.2077).

Reported by Committee on Local, Urban and State Affairs.

Committee recommended I.E.

— 24 —

HB 4555 Rep. Pearce

Transportation; funds; certain portion of transportation funds earmarked for nonmotorized trails; provide for.

Amends sec. 10k of 1951 PA 51 (MCL 247.660k).

I.E. House, June 9, 2005.

House substitute (H-2).

Reported by Committee on Commerce and Labor.

Senate substitute (S-2).

Committee recommended I.E.

—— 25 —

SJR E Sen. Stamas

Land use; condemnation; taking of private property by eminent domain for the primary benefit of private entities; prohibit.

Amends sec. 54, art. X of the state constitution.

Reported by Committee on Transportation.

Senate substitute (S-2).

_____ 26 _____

SB 693 Sen. Brown

Land use; condemnation; use of eminent domain to transfer private property to private entities; prohibit.

Amends sec. 3 of 1911 PA 149 (MCL 213.23).

Reported by Committee on Transportation.

Senate substitute (S-3).

Committee recommended I.E.

GENERAL ORDERS

- 27 -----

HB 4325 Rep. Mortimer

Occupations; physicians; performance of needle electromyography and the performance and interpretation of nerve conduction studies; clarify who is authorized to perform.

Amends secs. 17001 & 17501 of 1978 PA 368 (MCL 333.17001 & 333.17501) & adds secs. 17018 & 17518.

I.E. House, April 20, 2005.

House substitute (H-1).

Reported by Committee on Health Policy.

Senate substitute (S-1).

Committee recommended I.E.

____ 28 _____

HB 4718 Rep. Gleason

Highways; name; portion of M-54 in Genesee county; rename the "Marine Corps League Memorial Highway", and a portion of M-54 in part of Genesee county rename "UAW Sitdown Strike Memorial Highway".

Amends 2001 PA 142 (MCL 250.1001 - 250.2080) by adding sec. 78.

I.E. House, September 15, 2005.

House substitute (H-1).

Reported by Committee on Transportation.

Senate substitute (S-2).

Committee recommended I.E.

SB 120 Sen. Johnson

Criminal procedure; evidence; prior acts of domestic violence; allow to be admissible as evidence.

Amends 1927 PA 175 (MCL 760.1 - 777.69) by adding sec. 27a to ch. VIII.

Reported by Committee on Judiciary.

Senate substitute (S-2).

Committee recommended I.E.

- 30 —

SB 263 Sen. Hammerstrom

Crime victims; statements; hearsay rule; exempt certain statements of domestic violence victims.

Amends 1927 PA 175 (MCL 760.1 - 777.69) by adding secs. 27a & 27b to ch. VIII.

Reported by Committee on Judiciary.

Senate substitute (S-4).

Committee recommended I.E.

HB 5237 Rep. Nofs

Communications; telecommunications; general amendments; provide for.

Amends secs. 101, 102, 103, 201, 202, 203, 203a, 204, 205, 209, 210, 211, 213, 214, 301, 302, 303, 304, 305, 306, 307, 309, 309a, 310, 312, 314a, 315, 316a, 317, 318, 320, 321, 322, 351, 352, 353, 355, 357, 358, 359, 401, 502, 503, 504, 505 & 604 of 1991 PA 179 (MCL 484.2101 et seq.); adds sec. 252 & repeals (See bill).

I.E. House, October 20, 2005.

House substitute (H-3).

Rules suspended, placed on General Orders, Tuesday, October 25.

GENERAL ORDERS

____ 32 _____

SB 794 Sen. George

Health; testing; newborn screening quality assurance advisory committee; create.

Amends 1978 PA 368 (MCL 333.1101 - 333.25211) by adding secs. 5430 & 5432.

Reported by Committee on Health Policy.

Senate substitute (S-1).

Committee recommended I.E.

_____ 33 _____

SB 88 Sen. Hardiman

Insurance; health maintenance organizations; enrollee out-of-pocket costs for copayments, coinsurance, and deductibles; permit and regulate.

Amends secs. 3515, 3519, 3523, 3529, 3533, 3569 & 3571 of 1956 PA 218 (MCL 500.3515 et seq.).

Reported by Committee on Health Policy.

Senate substitute (S-2).

Committee recommended I.E.

____ 34 _____

HB 4403 Rep. Walker

Occupations; physicians; delegation of certain acts, tasks, or functions to a certified surgical technologist or certified surgical first assistant; allow under certain circumstances.

Amends sec. 16215 of 1978 PA 368 (MCL 333.16215).

I.E. House, June 29, 2005.

House substitute (H-2).

Reported by Committee on Health Policy.

Committee recommended I.E.

____ 35 ____

HB 4369 Rep. Amos

Economic development; commercial redevelopment; commercial redevelopment act; enact.

Creates new act.

I.E. House, October 5, 2005.

House substitute (H-3).

Reported by Committee on Economic Development, Small Business and Regulatory Reform.

Committee recommended I.E.

— 36 —

HB 5050 Rep. Robertson

Economic development; plant rehabilitation; abatement on certain property; provide for.

Amends sec. 9 of 1974 PA 198 (MCL 207.559).

I.E. House, September 20, 2005.

Reported by Committee on Economic Development, Small Business and Regulatory Reform.

Senate substitute (S-1).

Committee recommended I.E.

SB 788 Sen. Jelinek

Agriculture; equipment; lights for certain farm equipment; require.

Amends secs. 685, 686, 688 & 695 of 1949 PA 300 (MCL 257.685 et seg.) & adds sec. 684a.

Reported by Committee on Agriculture, Forestry and Tourism.

Committee recommended I.E.

RESOLUTIONS

____ 38 _____

SR 69 Sen. Gilbert

A resolution to urge the Federal Emergency Management Agency to reject proposed revisions to floodplain elevation thresholds in St. Clair County.

Reported by Committee on Banking and Financial Institutions.

Senate substitute (S-1).

For text of resolution, see Senate Journal No. 88, page 1784.

Adoption pending.

COMMITTEE REPORTS

_____ 39 _____

SB 624 Sen. Toy

Highways; name; renaming a portion of US-24; designate as the "10th Mountain Division".

Amends 2001 PA 142 (MCL 250.1001 - 250.2080) by adding sec. 80.

Reported by Committee on Transportation.

Committee recommended I.E.

Refer to Committee of the Whole pursuant to Rule 3.701.

HB 5052 Rep. Hoogendyk

Taxation; tobacco; penalties for possessing, acquiring, transporting, or offering for sale counterfeit cigarette rolling papers; include.

Amends secs. 2 & 8 of 1993 PA 327 (MCL 205.422 & 205.428).

I.E. House, October 20, 2005.

House substitute (H-1).

Reported by Committee on Judiciary.

Senate substitute (S-1).

Committee recommended I.E.

Refer to Committee of the Whole pursuant to Rule 3.701.

SB 686 Sen. Birkholz

Crimes; trespassing; trespass upon a critical infrastructure; prohibit and provide penalties.

Amends 1931 PA 328 (MCL 750.1 - 750.568) by adding sec. 552c.

Reported by Committee on Judiciary.

Senate substitute (S-1).

Committee recommended I.E.

Refer to Committee of the Whole pursuant to Rule 3.701.

COMMITTEE REPORTS

— 42 —

SB 685 Sen. Birkholz

Criminal procedure; sentencing guidelines; sentencing guidelines for crime of trespass upon a critical infrastructure; enact.

Amends sec. 16y, ch. XVII of 1927 PA 175 (MCL 777.16y).

Reported by Committee on Judiciary.

Senate substitute (S-1).

Committee recommended I.E.

Refer to Committee of the Whole pursuant to Rule 3.701.

SB 714 Sen. Birkholz

Family law; parental rights; military parental custody rights; clarify.

Amends secs. 2, 5 & 7 of 1970 PA 91 (MCL 722.22 et seq.).

Reported by Committee on Judiciary.

Senate substitute (S-1).

Committee recommended I.E.

Refer to Committee of the Whole pursuant to Rule 3.701.

HB 5100 Rep. Jones

Family law; parental rights; military parental custody rights; clarify.

Amends secs. 2, 5 & 7 of 1970 PA 91 (MCL 722.22 et seq.).

I.E. House, October 5, 2005.

House substitute (H-2).

Reported by Committee on Judiciary.

Senate substitute (S-2).

Committee recommended I.E.

Refer to Committee of the Whole pursuant to Rule 3.701.

HB 4335 Rep. Newell

Law enforcement; training; waiver of certain recertification requirements for law enforcement officers who return from duty after military service; provide for.

Amends sec. 9 of 1965 PA 203 (MCL 28.609).

I.E. House, September 21, 2005.

House substitute (H-2).

Reported by Committee on Judiciary.

Committee recommended I.E.

Refer to Committee of the Whole pursuant to Rule 3.701.

COMMITTEE REPORTS

— 46 *—*

HB 4978 Rep. Hildenbrand

Weapons; concealed; requirements for obtaining a concealed pistol permit; revise to include requirement of meeting certain federal eligibility standards.

Amends 1927 PA 372 (MCL 28.421 - 28.435) by adding sec. 6.

I.E. House, September 15, 2005.

House substitute (H-1).

Reported by Committee on Judiciary.

Committee recommended I.E.

Refer to Committee of the Whole pursuant to Rule 3.701.

SCHEDULED MEETINGS

Agriculture, Forestry and Tourism - Thursday, November 3, 8:30 a.m., Room 110, Farnum Building (373-1635)

Appropriations - Wednesday, November 2, 1:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-2523)

Subcommittees -

Capital Outlay - Thursday, November 3, 9:00 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-2523)

Higher Education - Wednesday, November 2, 8:30 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-1760)

Banking and Financial Institutions - Thursday, November 3, 1:00 p.m., Room 100, Farnum Building (373-2417)

Finance - Wednesday, November 2, 1:00 p.m., Room 110, Farnum Building (373-1758)

Michigan Capitol Committee - Tuesdays, November 8 (CAN-CELED) and November 29, 3:00 p.m., Room 426, Capitol Building (373-0289)

Senior Citizens and Veterans Affairs - Wednesday, November 2, 1:00 p.m., Room 100, Farnum Building (373-1707)

BILLS IN CONFERENCE

		Conf	Report Agreed To		
Bill No.	Brief Title	Senate	House	Senate	House
HB 4834	Financial institutions; other; regulation and	Sanborn	Robertson		
	licensing of deferred presentment service	Gilbert	Palsrok		
	providers and transactions; provide for.	Jacobs	McConico		